

AMENDED IN ASSEMBLY MAY 27, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 581

Introduced by Assembly Member John A. Pérez

February 16, 2011

An act to add and repeal Article 3 (commencing with Section 104660) of Chapter 2 of Part 3 of Division 103 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 581, as amended, John A. Pérez. Public health: food access.

Existing law requires the Department of Food and Agriculture, headed by the Secretary of Food and Agriculture, to promote and protect the agricultural industry of the state.

This bill would, until January 1, 2015, create the California Healthy Food Financing Initiative. It would require, by July 1, 2012, the Department of Food and Agriculture, in consultation with the State Department of Public Health and the State Department of Social Services, to prepare recommendations, to be presented upon request to the Legislature, regarding actions that need to be taken to promote food access in the state. The bill would also require, ~~to the extent that federal funds are made available,~~ the Department of Food and Agriculture, *in consultation with other specified agencies*, to implement the initiative. The bill would require the Department of Food and Agriculture to coordinate efforts to maximize the funding opportunities provided by the federal 2010 Healthy Food Financing Initiative.

The bill would create the California Healthy Food Financing Initiative Fund in the State Treasury, to be comprised of federal, state, *philanthropic*, and private funds, for the purpose of expanding access

to healthy foods in underserved communities and, to the extent practicable, to leverage other funding, as specified. Moneys in the fund ~~shall~~ *would* be expended upon appropriation by the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) California has some of the most productive farmlands in the
4 world. California's farmlands produce more than 350 commodities
5 and food items. These farmlands require protection and efficient
6 operations to maintain our food supply and guarantee a natural
7 resource for California's future generations.

8 (b) California's cultural heritage provides the basis for a variety
9 of food items that are available to the state's 36 million residents.

10 (c) The production and preparation of food needs to be
11 conducted in a healthy and humane manner.

12 (d) Access to healthy food items is a basic human right. Lack
13 of access to healthy, affordable food items may result in higher
14 levels of obesity and other diet-related diseases. Communities
15 without access to affordable, quality, and nutritious foods are
16 known as food deserts.

17 (e) Opportunities for increasing the number of grocery stores,
18 urban and rural farm stands, farmers' markets, community gardens,
19 direct farm to institution, and direct farmer to consumer marketing
20 activities in underserved communities should be actively pursued
21 and fostered to ensure that all Californians have access to healthy
22 foods.

23 SEC. 2. Article 3 (commencing with Section 104660) is added
24 to Chapter 2 of Part 3 of Division 103 of the Health and Safety
25 Code, to read:

26
27 Article 3. California Healthy Food Financing Initiative
28

29 104660. This article shall be known, and may be cited, as the
30 California Healthy Food Financing Initiative.

31 104661. (a) By July 1, 2012, the Department of Food and
32 Agriculture, in consultation with the State Department of Public

Health and the State Department of Social Services, shall prepare recommendations, to be presented upon request of the Legislature, regarding actions that need to be taken to promote food access in the state.

(b) The Secretary of Food and Agriculture may establish an advisory group to assist the agencies in complying with the requirements of subdivision (a). If established, the advisory group shall consist of representatives from the Legislature, food policy advocates, representatives from the grocery industry and financial institutions, food systems researchers, representatives from the agricultural industry, and representatives from nonprofit organizations with expertise in this area.

(c) The Department of Food and Agriculture, in consultation with the State Department of Public Health, the State Department of Social Services, and the Treasurer, may coordinate efforts to maximize the funding opportunities provided by the federal 2010 Healthy Food Financing Initiative.

104662. (a) The Department of Food and Agriculture, in consultation with the State Department of Public Health, the State Department of Social Services, and the Treasurer shall implement the California Healthy Food Financing Initiative. This ~~national~~ initiative is *modeled after the National Healthy Food Financing Initiative, which is* intended to expand access to nutritious foods in underserved, urban, and rural communities and to eliminate food deserts across the country within seven years.

~~(b) This section shall be implemented only to the extent that federal funds are made available for the purposes of this section.~~

(b) *The program parameters of the California Healthy Foods Financing Initiative shall be implemented using a diverse mix of funding sources, including, but not limited to, federal, state, philanthropic, and private resources.*

104663. (a) There is hereby established in the State Treasury the California Healthy Food Financing Initiative Fund, which shall be comprised of federal, state, *philanthropic*, and private funds for the purpose of expanding access to healthy foods in underserved communities.

(b) Moneys in the fund shall be expended upon appropriation by the Legislature, and shall be used, to the extent practicable, to leverage other funding, including, but not limited to, new markets tax credits, federal and foundation grant programs, incentives

1 available to designated enterprise zones, the federal Specialty Crop
2 Block Grant Program, and funding from private sector financial
3 institutions pursuant to the federal Community Reinvestment Act.
4 104664. This article shall remain in effect only until January
5 1, 2015, and as of that date is repealed, unless a later enacted
6 statute, that is enacted before January 1, 2015, deletes or extends
7 that date.

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